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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,039	10/17/2003	James R. Crossgrove	END920030050US1	9190
23550 7590 04/11/2008 HOFFMAN WARNICK & D'ALESSANDRO, LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207				
EXAMINER ZIMMERMAN, MATTHEW E				
ART UNIT 4137		PAPER NUMBER		
NOTIFICATION DATE 04/11/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hwdpatents.com

Office Action Summary

Application No.

10/688,039

Applicant(s)

CROSSGROVE ET AL.

Examiner

MATTHEW ZIMMERMAN

Art Unit

4137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- Paper No(s)/Mail Date 10/17/03.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Claims 1-23 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (US. Pub. No. 2002/0055878) in view of Klatt (US. Pat. No. 6,415,277).**

Referring to claims 1, 9, 16, Burton discloses:

- a queue system for inserting any failed requests into a failed request queue (see Burton Fig. 81; ¶0456 lines 1-5, 17-20, a queue for problematic orders);
- a view presentation system for presenting an administrator with a view of the failed request queue (see Burton Fig. 81);
- a data presentation system for displaying data corresponding to user-initiated item requests to an administrator (see Burton Figs. 81, 86), wherein the data presentation system accesses a set of tables to obtain the data (see Burton ¶0496 lines 12-16; Fig. 92), and wherein the set of tables includes a party table that identifies suppliers

suggested by users issuing the user-initiated item requests for fulfilling the user-initiated item requests (see Burton Figs. 81, 86, where the supplier is the restaurant selected by the user);

- a data edit system for allowing the administrator to edit the data corresponding to the user-initiated item requests (see Burton ¶0138, lines 5-8);
- receiving a user-initiated item request (see Burton ¶0133), wherein the user-initiated item request identifies a supplier for fulfilling the user-initiated item request (see Burton ¶0133 line 6);
- processing the user-initiated item request (see Burton Fig. 4 items 168, 170, 184), wherein the system-initiated item request is processed in batch with other system-initiated item requests (batch processing is old and well known in the art);
- inserting the request into a failed request queue if the processing of the system-initiated item request fails (see Burton Fig. 81; ¶0456 lines 1-5, 17-20, a queue for problematic orders);
- presenting an administrator with a view of the failed request queue upon request (see Burton Fig. 81);
- accessing a set of tables to display data corresponding to the user-initiated item request to the administrator (see Burton Fig. 81), wherein the set of tables accessed includes a party table that identifies the supplier (see Burton Figs. 81, 86, where the supplier is the restaurant selected by the user);

- program code for inserting any failed requests into a failed request queue (see Burton Fig. 81; ¶0456 lines 1-5, 17-20, a queue for problematic orders);
- program code for presenting an administrator with a view of the failed request queue (see Burton Fig. 81);
- program code for displaying data corresponding to user-initiated item requests to an administrator (see Burton Figs. 81, 86), wherein the program code for displaying accesses a set of tables to obtain the data (see Burton ¶0496 lines 12-16; Fig. 92), and wherein the set of tables includes a party table that identifies suppliers suggested by users issuing the user-initiated item requests for fulfilling the user-initiated item requests (see Burton Figs. 81, 86, where the supplier is the restaurant selected by the user);
- program code for allowing the administrator to edit the data corresponding to the system-initiated item requests and the user-initiated item requests (see Burton ¶0138, lines 5-8).

Burton does not explicitly disclose where the requests could also be system-initiated requests. However, Klatt does (see Klatt Abstract lines 1-5; Figs. 13-14). It would have been obvious to combine these methods at the time of invention because enabling the system for maintaining item requests to also handle system-initiated requests leads to the predictable result of handling more types of orders and increased revenue.

Referring to claim 2, the combination discloses the system of claim 1, further disclosing wherein the set of tables further includes a header level text table that identifies business justifications set forth by the users for approving the user-initiated item requests (see Burton Fig. 86). The Examiner notes that a business justification for an order is the order itself, and Burton shows a list of orders in a header level text table.

Referring to claim 3, the combination discloses the system of claim 1, further disclosing a request reception system for receiving the user-initiated item requests from the users (see Burton ¶0133 line 4) and the system-initiated item requests from at least one external system (see Burton Fig. 2 items 112-113; ¶0124 lines 1-2), wherein the request reception system further populates the set of tables using data from the user-initiated item requests and the system-initiated item requests (see Burton ¶0268).

Referring to claim 4, the combination discloses the system of claim 1, further disclosing a request processing system for assigning approvers (see Burton Fig. 62) and suppliers (see Burton Fig. 36, a user selects a supplier restaurant) to the user-initiated item requests and the system-initiated item requests. Regarding, assigning of approvers, Burton teaches a user approving a transaction (Fig. 62 "Confirm your order", "SUBMIT") and after the user *approves* the order the system assigns the user to the order via an order number (Fig. 86).

Referring to claim 5, the combination discloses the system of claim 4, further disclosing wherein the processing system processes the system-initiated

requests in batch mode. The Examiner notes that processing data in batch mode is old and well known in the art.

Referring to claim 6, the combination discloses the system of claim 1, further disclosing wherein the view of the failed request queue and the data are presented to the administrator within a single browser window (see Burton Fig. 81).

Referring to claim 7, the combination discloses the system of claim 1, further disclosing wherein the administrator is a global administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494).

Referring to claim 8, the combination discloses the system of claim 1, further disclosing wherein the view presentation system further provides a country administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494) with the view of the failed request queue (see Burton Figs. 81, 86), and wherein the data presentation system further displays the data corresponding to the system-initiated item requests and the user-initiated item requests to the country administrator (see Burton Figs. 81, 86).

Referring to claim 10, the combination discloses the method of claim 9, further disclosing a method for assigning approvers (see Burton Fig. 62) and suppliers (see Burton Fig. 36, a user selects a supplier restaurant) to the user-initiated item requests and the system-initiated item requests. Regarding, assigning of approvers, Burton teaches a user approving a transaction (Fig. 62 "Confirm your order", "SUBMIT") and after the user *approves* the order the system assigns the user to the order via an order number (Fig. 86).

Referring to claim 11, the combination discloses the method of claim 9, further disclosing wherein the view of the failed request queue and the data displayed are presented to the administrator within a single browser window (see Burton Figs. 81, 86).

Referring to claim 12, the combination discloses the method of claim 9, further disclosing wherein the administrator is a global administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494).

Referring to claim 13, the combination discloses the method of claim 12, further disclosing providing the global administrator with the capability to edit displayed data (see Burton ¶0138, lines 5-8).

Referring to claim 14, the combination discloses the method of claim 9, further disclosing wherein the administrator is a country administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494).

Referring to claim 15, the combination discloses the method of claim 9, further disclosing wherein the user-initiated item request further includes a business justification for approving the user-initiated item request (a business justification for an order is the order itself) (see Burton ¶0102, lines 3-4), and wherein the set of tables accessed to display the data further includes a header level text table (see Burton Fig. 35, item 2016).

Referring to claim 17, the combination discloses the program product of claim 16, further disclosing wherein the set of tables further includes a header level text table that identifies business justifications set forth by the users for approving the user-initiated item requests (see Burton Fig. 86). The Examiner

notes that a business justification for an order is the order itself, and Burton shows a list of orders in a header level text table.

Referring to claim 18, the combination discloses the program product of claim 16, further disclosing program code for receiving the user-initiated item requests from the users and the system-initiated item requests from at least one external system (see Burton Fig. 2 items 112-113; ¶0124 lines 1-2), wherein the program code for receiving further populates the set of tables using data from the user-initiated item requests and the system-initiated item requests (see Burton ¶0268).

Referring to claim 19, the combination discloses the code of claim 16, further disclosing a program code for assigning approvers (see Burton Fig. 62) and suppliers (see Burton Fig. 36, a user selects a supplier restaurant) to the user-initiated item requests and the system-initiated item requests. Regarding, assigning of approvers, Burton teaches a user approving a transaction (Fig. 62 "Confirm your order", "SUBMIT") and after the user *approves* the order the system assigns the user to the order via an order number (Fig. 86).

Referring to claim 20, the combination discloses the program product of claim 19, further disclosing wherein the program code for processing processes the system-initiated requests in a batch mode (batch mode processing is old and well known in the art).

Referring to claim 21, the combination further discloses wherein the view of the failed request queue and the data are presented to the administrator within a single browser window (see Burton Fig. 81).

Referring to claim 22, the combination discloses the program product of claim 16, further disclosing wherein the administrator is a global administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494).

Referring to claim 23, the combination discloses the program product of claim 16, further disclosing wherein the program code for presenting further provides a country administrator (administrators having different permission levels) (see Burton Fig. 103, ¶0494) with the view of the failed request queue (see Burton Figs. 81, 86), and wherein the data presentation system further displays the data corresponding to the system-initiated item requests and the user-initiated item requests to the country administrator (see Burton Figs. 81, 86).

Conclusion

4. Batch processing is old and well known in the art (see Joseph, Pat. No. 6,606,603; col. 7 lines 4-11).
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW ZIMMERMAN whose telephone number is (571) 270-5278. The examiner can normally be reached on Mon, Tue, Wed, Thu, 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 4137